

Exhibit B
(Deposition of James Pringle, Relevant Excerpts)

COPY

Page 1

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MAINE
3

4 BRYAN REPETTO,) CIVIL ACTION
5 Plaintiff,) Docket No. 08-CV-101
6 v.)
7 ST. MATTHEW'S UNIVERSITY, INC., and)
8 ST. MATTHEW'S UNIVERSITY (CAYMAN),)
9 Defendants.)
10
11

12 DEPOSITION of JAMES PRINGLE, taken pursuant to
13 notice dated September 17, 2008, at the law offices of
14 Murray, Plumb & Murray, 75 Pearl Street, Portland, Maine, on
15 September 19, 2008, commencing at 9:03 a.m., before Cindy
16 Packard, Registered Diplomate Reporter, a Notary Public in
17 and for the State of Maine.

18
19 APPEARANCES:

20 For the Plaintiff: Barbara L. Goodwin, Esq.

21 For the Defendants: Daryl J. Lapp, Esq.

Gail E. Cornwall, Esq.

22
23 Also Present: Bryan Repetto

24
25

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1 MDs, who were expert in specific subareas of
 2 pharmacology. An example?

3 Q Yes, please.

4 A In pharmacodynamics and kinetics, and how drugs work, I
 5 went down to UNZ because I had already been going
 6 there. I knew those people quite well. And Ed Bilsky
 7 who is the chief of research there was willing to teach
 8 those subjects.

9 If you want somebody who knows the latest in
 10 cardiac drugs, you might think about getting a
 11 cardiologist to do that. So who is the most attune to
 12 the latest in cardiac drugs, probably the cardiac
 13 fellows at Maine Med or Mass General or wherever.

14 And I had them from both places over the years.
 15 They change every three years. So the way it worked
 16 out is Carl Hackmiller was the chief fellow at Maine
 17 Med in cardiology, and I asked him to teach cardiac
 18 drugs, bring us up to date.

19 When he finished his fellowship, went out into
 20 practice, then the next guy who became chief became the
 21 teaching fellow. We did that for the entire time I was
 22 involved.

23 Q Okay. So that would or would it --

24 A That's how I did it.

25 Q -- explain why when I look at the syllabus for the

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1 anybody else available to do that anyway so that was
 2 perfect.

3 I picked the GU diseases. And there were a number
 4 of other things over time that -- I taught
 5 gastrointestinal drugs at one point. Those are the
 6 main ones.

7 Q All right. So if you were asked in May of 2000 to put
 8 this together, when was the first -- well, when did it
 9 all get pulled together, when did you start teaching?

10 A Well, I started about two weeks later. So we started
 11 soon. We had a small class. I think there were --
 12 don't hold me to the numbers, might have been 15
 13 students in that first group. I don't remember
 14 exactly. I know it was a small group.

15 And so the first semester that we taught, I taught
 16 what I had resources to teach as I went along. And I
 17 was on a running -- it was a run because I had to get
 18 somebody to do cardiac because this guy with GI is
 19 about to finish. And by the end of that semester, I
 20 had a whole faculty put together. And we didn't have
 21 any gaps that I know of.

22 Q Okay. So you started teaching, what -- that was your
 23 first job was to put this program together, what was
 24 your next job?

25 A With a title? I mean there were all kinds of jobs

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1 pharmacology course, it lists you as a director, and
 2 then there are many doctors listed underneath?

3 A Right.

4 Q Okay. So that's because that was your approach was to
 5 use many doctors?

6 A Exactly. That was the approach of Case Western Reserve
 7 where I went to medical school. It's the case of every
 8 reputable medical school that I know of in North
 9 America.

10 Q So did you teach any classes or --

11 A Uh-huh.

12 Q -- did the specialists teach them?

13 A Well, I'm a specialist.

14 Q Or both, I guess?

15 A I'm one of the specialists.

16 Q Okay. So you taught?

17 A I picked out, being the chief, things I like most.

18 Q Fair enough.

19 A The thing I knew best.

20 Q So what did you pick?

21 A Tropical medicine. My wife and I spent a considerable
 22 time in the Caribbean doing missionary work with people
 23 there. So I've always had an interest in it. We
 24 worked with the Rockefeller Foundation down there for a
 25 number of times, so I picked that. There wasn't

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1 going on. Are the classrooms big enough, do we have a
 2 good student affairs department, all of that had to
 3 come together. But my next job if you're asking me
 4 when did I become the dean there, that would have been
 5 a year or so later.

6 Q What was your actual title as dean?

7 A Initially, it was associate dean of basic science.

8 Q Was that for the -- were you the associate dean for the
 9 entire medical school or for just the Maine campus?

10 A Well, I was only responsible for the Maine campus, but
 11 I -- I'm a urologist, I'm not -- I don't hang my hat on
 12 titles. I was responsible for the functioning of this
 13 program. And they gave me that title. I guess I was
 14 associate dean of the entire operation. I was the only
 15 associate dean that I'm aware of in the St.
 16 Matthew's -- but my responsibility was primarily in
 17 Maine.

18 Q Okay. And that's sort of what I was getting at, you
 19 were talking about are the classrooms big enough?

20 A Yeah.

21 Q So did you have -- even before you got the title, were
 22 you essentially running the Maine program?

23 A No.

24 Q Who was doing it before you were?

25 A Dr. Abbott. Donald Abbott.

	Page 14		Page 16
1	Q Do you know why he left?		1 effort.
2	A I mean he's still here. You mean why did he give up		2 Okay. When did the Maine -- first of all, where was
3	the job?		3 the Maine campus?
4	Q He's still in Maine, why he gave up the job?		4 A In Windham.
5	A You'll have to ask him.		5 Q Where exactly?
6	Q Okay. So you took it over from him about a year later,		6 A It was on -- let's see, what was the address, 8 -- what
7	so spring of 2001?		7 was it, Bryan, 804 --
8	A I think so.		8 MR. LAPP: If you don't remember, just say
9	Q Okay. How long did you stay with St. Matthew's?		9 you don't remember.
10	A 22 semesters.		10 THE DEPONENT: 800 something Roosevelt Trail,
11	Q How many semesters in a year?		11 Windham, Maine. Right on the main drag of Windham.
12	A Three. So it was seven years plus one semester.		12 Q (By Ms. Goodwin) I'm asking partly because it's very
13	Q Plus one. All right. And were those all with the		13 local to me, and I'm curious.
14	Maine campus?		14 A If you know where -- if it's that local, do you know
15	A That's where I was the whole time, yes.		15 where Applebee's is?
16	Q Okay. Were you ever involved with the Miami campus?		16 Q Yes,
17	A Yes.		17 A It's right next door, that brick building that says for
18	Q When was that?		18 rent right now, or lease, whatever, it's --
19	A The Miami effort started about I think 2007, September.		19 Q That's it?
20	The person to ask when Miami campus was born would be		20 A Right there.
21	somebody other than me. But I can tell you my -- if		21 Q Okay. Fair enough. And you mentioned that the new
22	your question is --		22 owners wanted to transition down to South Miami. Well,
23	MR. LAPP: When were you involved with it?		23 when did the Maine program, Maine campus close?
24	Q (By Ms. Goodwin) That's all, all you can tell me?		24 A I think essentially it was done when I was done, the
25	A Right. Because it's a long story. I was involved		25 end of September, or at the end of August, '07.

	Page 15		Page 17
1	primarily from January of '07 through my resignation in		1 Q Okay. So Maine was still running while you were
2	September of '07.		2 working with the folks down in Miami?
3	Q Okay. What was --		3 A Yeah. Yeah.
4	A I may have made a couple trips there in December of '06		4 Q And you said they were leaving Maine because it was
5	as well.		5 cheaper?
6	Q Again, not going to hold you to exact dates --		6 A You'll have to ask them that to be honest with you.
7	A Okay.		7 Q Did they -- did they ever give you a reason why they
8	Q What was your involvement with the Miami campus?		8 were closing Maine?
9	A My involvement there was to -- well, Jim, this Maine		9 A Yes.
10	effort has been fantastic, we're new owners now, and we		10 Q What did they tell you?
11	think we can do it more cheaply in South Miami. And		11 A Too expensive. I'm being honest with you, it's too
12	we're offering you the job there, would you be willing		12 expensive, we can do it more cheaply in Miami. Over
13	to move to South Miami. Took me 13 seconds to say		13 time they may have come up with some other reasons, but
14	absolutely not. I have no desire to ever go to Miami		14 that was always what they would hit me with.
15	whether it's south or north.		15 Q Okay. Tell me about your new medical school?
16	And but I said I would be willing to take my		16 A My new -- where I am now?
17	program -- well, let me start over. They asked me if I		17 Q Yes.
18	would be willing to take my ideas and my curriculum to		18 A What do you want to know?
19	the Miami area. I said sure, I can do that.		19 Q I want to know -- well, did you join them, it's
20	So the trips I made to Miami were to go down and		20 University of Medicine and Health Sciences, is that
21	meet the people that were there. They came up once, I		21 right?
22	think. And instruct them on how to put -- how we had		22 A Uh-huh.
23	done it in Maine so successfully and hope that they		23 Q They're centered in St. Kitts?
24	could do the same down there.		24 A (Deponent nods head.)
25	Once I had done that, I was finished with that		25 Q When did you join that school?

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1 A If joined means when did I get paid for the first bit
 2 of effort was April of '08.
 3 Q Was there effort before you got paid?
 4 A They started recruiting me or asking me if I was
 5 interested in getting involved again in an offshore
 6 medical school probably in February sometime. Middle
 7 of winter when I was open to almost any suggestion.
 8 Q Did they lure you with a trip to St. Kitts?
 9 A Yes, but I have resisted. I've never been there, have
 10 no desire to go. Believe me, they think that that's a
 11 carrot, but they're talking to the wrong person. But
 12 what else can I tell you about it?
 13 Q What is your position there?
 14 A I'm -- I think I have the same -- it's just being
 15 worked out.
 16 Q Okay.
 17 A I'm the program director, and whether I'm the associate
 18 dean again or not to be honest with you, I don't know,
 19 but that was something they -- doesn't matter to me, I
 20 couldn't care less. But I'm putting together a program
 21 similar to, but even better than St. Matthew's, I hope.
 22 Q Okay. Has it -- you said it was just getting put
 23 together?
 24 A Uh-huh.
 25 Q I assume this is going to be a Maine campus?

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1 A Right.
 2 Q Are you teaching?
 3 A Right -- I haven't yet.
 4 Q Will you be?
 5 A I will be starting Monday.
 6 Q What are you teaching?
 7 A This go-round, I have five subjects I'm going to cover
 8 in three hours, which is ridiculous, but I will be
 9 covering urinary tract infections, benign prostatic
 10 hypertrophy. It's a reproductive committee again. And
 11 related subjects, urologically. Urinary tract, renal
 12 function related subjects.
 13 Q Do you have an affiliation with St. Joseph's College
 14 with your new school?
 15 A No.
 16 Q Like they did at St. Matthew's?
 17 A No.
 18 Q What made you decide to get involved with the new
 19 school?
 20 A You want the truth? I couldn't stand being retired --
 21 Q Always.
 22 A -- this past winter. I mean, that's the truth. I just
 23 had nothing philosophical, nothing that I think I'm
 24 better than anybody else teaching. I am 69 years old,
 25 and I need something to do. And I love teaching.

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1 A Well, we'll have fifth semester only here which is
 2 different than St. Matthew's program.
 3 Q What semesters of St. Matthew's did you have in Maine?
 4 A Fourth and fifth.
 5 Q Okay. So this is going to be fifth only?
 6 A Right.
 7 Q Do you have -- well, has the campus opened yet?
 8 A Yes.
 9 Q When did it open?
 10 A About two weeks ago.
 11 Q Students there?
 12 A Six students.
 13 Q Are these -- I know it's a new school, is it new enough
 14 these are transfer students?
 15 A Right. The first year all the students in Maine of the
 16 fifth semester were transfers. Then the first -- first
 17 first semester -- I need something to drink.
 18 MR. LAPP: Why don't we take a break.
 19 (Recess at 9:25 a.m., to 9:30 a.m., after which the
 20 following proceedings transpired.)
 21 Q (By Ms. Goodwin) We were with your new school. All
 22 right. So the students started six weeks ago, are
 23 you --
 24 A Two weeks ago.
 25 Q Two weeks ago, six students?

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1 Q That's really a better reason than most. There is a
 2 Dr. Jerry Thornton listed in the North American
 3 administration, is it the same Dr. Thornton from St.
 4 Matthew's?
 5 A Say the question again.
 6 Q Dr. Thornton?
 7 A Yes.
 8 Q Dr. Jerry Thornton is part of the administration of the
 9 new school, is it the same person, the same
 10 Dr. Thornton --
 11 A Same that was --
 12 Q -- as you worked with at St. Matthew's?
 13 A As far as I know.
 14 Q Have you talked to him since joining the new school?
 15 A I have talked to him once back in April.
 16 Q Was he part of the effort to recruit you?
 17 A Yes.
 18 Q Do you know where he is located right now?
 19 A No.
 20 Q Okay. Where is the campus for the new school?
 21 A 110 Free Street, Portland, Maine. You mean the Maine
 22 effort?
 23 Q Yes, the physical --
 24 A 110 Free Street.
 25 Q I know where I'm going for lunch.

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1 A You know that building? That's the old Blue Cross,
 2 Blue Shield building.
 3 Q Okay. All right. I'm going back to St. Matthew's
 4 University. Tell me about -- tell me about the
 5 relationship that St. Matthew's had with St. Joseph's
 6 College?
 7 A I'm trying to -- there's so many ways to come at that.
 8 The relationship was one that was based on the presence
 9 of a master's degree that was health care related,
 10 master's in health service administration.

11 If a student at St. Matthew's chose to and
 12 qualified based on St. Joseph's criteria, they were
 13 eligible to work toward that master's degree. St.
 14 Joseph's College required that part of that effort be
 15 done on campus. So this is not -- part of what I'm
 16 telling you now is was not something I put together,
 17 this is before I got involved.

18 So St. Joseph's College being an American
 19 accredited university is eligible for federal loans.
 20 So students who are offshore are not eligible unless
 21 that changed within the last two months, and it may
 22 have, I'm told. Eligible for Stafford loans.

23 So a student who elected to do the extra work for
 24 the master's degree, and theoretically needed extra
 25 finances could enroll in the master's program at

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1 St. Joe's and become eligible for U.S. federal loans.

2 Somewhere along the way, as I said before my
 3 involvement, somebody got the idea that well, if we're
 4 going to be up here doing the master's anyway, I wonder
 5 if we'd be allowed to teach some medicine while they're
 6 there.

7 Bob McGuire, who dropped dead last June, and last
 8 night I was at his memorial service at St. Joe's,
 9 chairman of the board of trustees at St. Joseph's, said
 10 to Don Abbott, I'm told, this is just what I'm told now
 11 because I wasn't there. Why don't we ask the
 12 Department of Education of the state of Maine if you
 13 can teach some medicine up here, and we'll then recruit
 14 students -- St. Joseph's will have a captive audience
 15 for the master's degree. You'll be able to teach
 16 medicine if you can get somebody to teach it and on the
 17 medical side. And it will be just a great synergistic
 18 arrangement. And that's how it went. I don't know if
 19 that answers your question. The specifics in there --

20 MR. LAPP: If you don't give her what she
 21 needs or wants, she'll let you know. You just --

22 Q (By Ms. Goodwin) Believe me.

23 MR. LAPP: Answer the question and she'll let
 24 you know.

25 THE DEponent: Okay.

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1 Q (By Ms. Goodwin) So to the best of your knowledge, is
 2 that why SMU set up its Maine campus?
 3 A To the best of my knowledge.
 4 Q Okay. Do you know how long before that SMU students
 5 were working towards this master's degree?
 6 A No.
 7 Q Okay. But that -- the dual degree idea was in place
 8 before the Maine campus people were doing that?
 9 A Yes.
 10 Q So to -- if there are -- well, do you know if there are
 11 written agreements between St. Joseph's and St.
 12 Matthew's?
 13 A I don't know.
 14 Q Okay. Was there a requirement that students on the
 15 Maine campus of St. Matthew's also enroll in the St.
 16 Joseph's program?
 17 A Yes.
 18 Q Why?
 19 A Because the state of Maine decreed that the fourth
 20 semester was basic science, which it was. Therefore,
 21 it fell under the Department of Education's, you know,
 22 turf. So therefore, for the state of Maine to allow a
 23 student to be in Maine being -- for any, you know,
 24 medical reason, they had to first be enrolled in St.
 25 Joseph's. It was that fourth semester basic science

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1 piece that required them to be enrolled at St. Joe's to
 2 be here.

3 Q Fifth semestar students would not have been required --
 4 A Pure fifth semestar students would not have been
 5 required to be St. Joe's students.
 6 Q Are you aware of any SMU students who were not pure
 7 fifth semester students who were allowed to drop the
 8 St. Joe's program?

9 A Say that again.

10 Q So you said pure fifth semester students --

11 A Right.

12 Q -- wouldn't have to stay enrolled at St. Joe's?

13 A They would -- pure would not.

14 Q Would not?

15 A If they had one fourth semester course, they were not
 16 eligible to be hers theoretically that I know of.

17 Q All right.

18 A That was a rule.

19 Q Theoretically --

20 A I'm just saying, if -- that in fact is the way it
 21 was -- that was a rule. That was the way we were -- we
 22 functioned.

23 Q So my original question was whether you were aware of
 24 any St. Matthew's student who was not one of these pure
 25 fifth semester students?

<p>1 A Yes.</p> <p>2 Q Who was allowed to drop the St. Joseph's program?</p> <p>3 MR. LAPP: And stay in Maine?</p> <p>4 Q (By Ms. Goodwin) And stay in Maine?</p> <p>5 A So they're taking four semesters --</p> <p>6 Q They're taking at least one fourth semester class and</p> <p>7 they're staying here?</p> <p>8 A Not to my knowledge.</p> <p>9 Q Would you have been the one to make that decision?</p> <p>10 A Sorry?</p> <p>11 Q Would you have been the one to decide whether they</p> <p>12 could stay assuming the situation ever existed?</p> <p>13 A If it did --</p> <p>14 MR. LAPP: Object to the form of the</p> <p>15 question. Go ahead.</p> <p>16 THE DEPONENT: Say that again.</p> <p>17 Q (By Ms. Goodwin) I'm just wondering --</p> <p>18 A All kinds of gray areas.</p> <p>19 Q -- if there had been the student who was still taking</p> <p>20 fourth semester classes, but wanted to drop St.</p> <p>21 Joseph's -- first of all, did anyone ever ask to do</p> <p>22 that?</p> <p>23 A Yes.</p> <p>24 Q How many students?</p> <p>25 A I don't remember.</p>	<p>Page 26</p> <p>1 I can't remember number of square feet over there,</p> <p>2 but it was in excess of 10,000 square feet as I</p> <p>3 remember. I think it was 12,000 square feet. We had a</p> <p>4 library there. Large parking lot behind that building,</p> <p>5 between the two buildings.</p> <p>6 Q Was there any full-time faculty at the Maine campus?</p> <p>7 A Full-time?</p> <p>8 Q Full-time, university employed?</p> <p>9 A I was there full-time.</p> <p>10 Q Other than --</p> <p>11 A Define, what's full-time? I had a whole faculty that</p> <p>12 was there constantly. But were they there every day</p> <p>13 eight hours a day, no. I was the only one.</p> <p>14 Dr. Randall was there, dean of clinical science was</p> <p>15 there most every day, worked eight hours or so.</p> <p>16 Librarian was there. Does that answer your question?</p> <p>17 Q I guess --</p> <p>18 A It was like a college, the professor would come and do</p> <p>19 his teaching or her teaching, and he'd maybe stay,</p> <p>20 maybe go home.</p> <p>21 Q Sure. And I guess what I was asking, the approach you</p> <p>22 described for your class involved folks who would come</p> <p>23 in and teach just sort of this one specialized area,</p> <p>24 were they considered faculty, adjuncts, how were those</p> <p>25 things classified?</p>
<p>1 Q More than a handful?</p> <p>2 A No, about a handful.</p> <p>3 Q Okay. Who would they approach with that request?</p> <p>4 A Probably approach me first, but the final arbiter on</p> <p>5 that would have been the chief of graduate education</p> <p>6 for the state of Maine, which is Harry Osgood. If</p> <p>7 you're asking me would I break the rule, no.</p> <p>8 Q I just wondered who had the authority to make the</p> <p>9 decision, it sounds like you first for St. Matthew's,</p> <p>10 but also you would have needed DOE approval?</p> <p>11 A I covered my -- constantly.</p> <p>12 Q As does everyone who works with the Department of</p> <p>13 Education. Tell me about the Maine campus of St.</p> <p>14 Matthew's, and now I mean the physical?</p> <p>15 A You mean the physical?</p> <p>16 Q Yes, what was available, what was the physical</p> <p>17 structure like?</p> <p>18 A We had two buildings, one owned, one leased. Two major</p> <p>19 classrooms, each would hold about 100 students. A</p> <p>20 separate office, small office complex for the business</p> <p>21 manager, my office, and our admin, and partially used</p> <p>22 by the student affairs department.</p> <p>23 We had a clinical skills lab upstairs in that</p> <p>24 building next to Applebee's that we used every week in</p> <p>25 the fifth semester.</p>	<p>Page 27</p> <p>1 They were faculty. Now whether they were academic</p> <p>2 full-time equivalents or not --</p> <p>3 Q There's the term I was looking for.</p> <p>4 A Somewhere -- I don't -- to be honest with you, I don't</p> <p>5 know what those were for each teacher, they were all</p> <p>6 different depending on number of hours they taught, but</p> <p>7 the ones who were the primary teachers, pathology,</p> <p>8 pharmacology, they were on our committees, met</p> <p>9 regularly with me. If you're asking me did they just</p> <p>10 hover over there down the hall on the right like they</p> <p>11 did undergraduate school, no.</p> <p>12 Q Okay.</p> <p>13 A I know I'm not supposed to expound on this, but we went</p> <p>14 to them at Maine Medical Center for much of the</p> <p>15 pharmacology so you have a clear picture. They didn't</p> <p>16 all come to us. Some of them are very busy practicing</p> <p>17 physicians as well as research people. So my</p> <p>18 philosophy was I'll bring my students to you if you'll</p> <p>19 teach. So a good deal of pharmacology was taught at</p> <p>20 Maine Med.</p> <p>21 Q Were you -- you were on the admissions committee,</p> <p>22 correct?</p> <p>23 A No.</p> <p>24 Q You were not.</p> <p>25 A Well --</p>

<p>1 Q Were you ever involved in admissions?</p> <p>2 A Give me a date.</p> <p>3 Q Ever for St. Matthew's?</p> <p>4 A Yes, I was involved for about three semesters in 2006.</p> <p>5 Q All right. I want to talk a little bit about sort of the mechanics of class structure, your class structure I guess. Tell me how you -- well, how you put together the syllabus and the schedule for class?</p> <p>6 A The syllabus?</p> <p>7 Q Let's focus on the time that Mr. Repetto was at school?</p> <p>8 A Okay.</p> <p>9 Q 2005, 2006?</p> <p>10 A Okay. We'll have Mr. Repetto would fill in the gaps here, but I would say --</p> <p>11 Q I imagine he'll be asked later.</p> <p>12 A Let me just give you the general idea how we did it. Since we had fifth semester, fourth and fifth semester students in Maine and on Grand Cayman at the same time, we would start out -- between semesters, we had meetings. Well, we had them during semester and between semesters, too, and we had to make sure we had one university, not two.</p> <p>13 Q So if it was pharmacology, it was either Dr. Adamec or Dr. Goutta down on Grand Cayman who I would meet with, and we would put together the</p>	Page 30	<p>1 And that teacher would look and say yeah, I covered that same stuff, and he would use them or not depending on -- or call me back and say you have to drop that question about such and such a drug because Joe didn't talk about that very much.</p> <p>2 So we had an ongoing either through emails or video conferencing or audio hookups, this went on weekly when Bryan was there. So it was a challenge, but we made it one college, not two.</p> <p>3 Q Were you aware of Maine -- the Maine campus having a reputation of being more challenging, more academically challenging than the Cayman Islands campus?</p> <p>4 A Was I aware that people thought that?</p> <p>5 Q Yes.</p> <p>6 A Yes.</p> <p>7 Q Did you think that?</p> <p>8 A No.</p> <p>9 Q Do you know why -- well, yeah, do you know why people thought that? Only if you know?</p> <p>10 A MR. LAPP: I'm going to object to the form of that.</p> <p>11 Q THE DEPONENT: Why people thought that. Well, wherever you are, if you have a struggling student, they're going to tell you it's harder there.</p> <p>12 Q But they really don't know if it is or not because</p>	Page 32
<p>13 Q subjects, not necessarily, but pretty close to the same order, but not exactly the same order. Depends on if I couldn't get the cardiologist in one month, I'd get it the next, so I would call Dr. Nasser. Dr. Nasser is the dean in Grand Cayman, I'd say I can't get the cardiology guy until the first week of November, so put that part on the next test, not on this test. And he would shift his faculty around.</p> <p>14 Q So the big effort was to coordinate the teaching between the two places. In Psych 101 where you went to college, where I went to college, I'll put it that way, there might have been 15 different teachers. They all had the same goal in mind, but if you're saying I had all 15 of those people teaching the exact same thing on the exact same day in the exact same way, you're lying, nobody can do that.</p> <p>15 Q It's the same thing in this real world. So we did the best we could to make sure that we were teaching the same thing with different teachers, two different places at the same time with the same goal in mind.</p> <p>16 Q The exams were very often exactly the same. That was a challenge because a doctor in Maine would put his 10 questions down, I would send them down to Cayman. I had to be careful how I did that because the email kept getting broken into. We'd fax them usually.</p>	Page 31	<p>1 they're not at the other place. So I didn't put much credence into that to be honest with you.</p> <p>2 Q (By Ms. Goodwin) Once a student had come to the Maine campus, did they have the option of going back to the Cayman campus?</p> <p>3 A Yes. I'm just trying to think before I answer, but this is not jail up here. You can go, this is graduate school.</p> <p>4 Q Do you know if anybody ever did return to the Cayman Islands?</p> <p>5 A Yes. Quite sure they did. Very rarely, but a few.</p> <p>6 Q Okay. Tell me generally speaking about processes in place if a student is unhappy with a grade in a course?</p> <p>7 A I was unhappy a lot.</p> <p>8 Q After they complained to their friends, tell me --</p> <p>9 A At the end of a semester?</p> <p>10 Q At the end of the semester, I don't know if there were processes in place actually for -- if they were just unhappy with an exam grade, was there a process for that as well?</p> <p>11 A Uh-huh. Yes.</p> <p>12 Q All right. Let's talk about the exam process first and then the entire class process?</p> <p>13 A Very often a student would come to me complaining that they thought the test was too hard. And my standard</p>	Page 33

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1 Q He was taking your pharmacology course?
 2 A I think so. I don't remember him sitting there, but he
 3 was in the class. So yeah, I was doing all these
 4 things at that time, I was associate dean of basic
 5 science and teaching.
 6 Q Did you have any interactions with him outside of the
 7 classroom during the -- let's -- he was there for three
 8 semesters starting in January of '06, during that first
 9 semester, do you remember any interaction outside of
 10 the classroom, did he come meet with you, talk about
 11 subject matter?
 12 A I would bet if my life depended on it that Bryan and I
 13 talked in the parking lot many times. I don't know if
 14 he remembers that. If that's what you mean outside the
 15 classroom of him coming into my office, so the answer
 16 to your question is, probably. I don't remember. I
 17 talked with all my students almost -- at least weekly
 18 if not daily.
 19 Q All right. Leaving out say the casual hellos, are we
 20 talking about substantive conversations about school at
 21 least once a week?
 22 A Give you some of the processes.
 23 Q That would be great.
 24 MR. LAPP: I think the question was whether
 25 you remembered having substantive conversations with

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1 pharmacology. He was passing genetics, not by much,
 2 but he did pass it. Patient/Doctor 4, he passed. I
 3 don't remember the grade. Bryan tended to pass things
 4 in the 70s, but he passed.
 5 So while he's passing those two things, he's
 6 failing the two very important basic subjects, if
 7 you're looking at getting your boards, path and pharm.
 8 So I would have discussed that with him and asked him
 9 what we could do to change his study approach to those
 10 subjects to help him.
 11 Probably also, I don't remember the date, I have
 12 it somewhere in my files I suppose, but at St.
 13 Matthew's, one of the other things I routinely did is I
 14 looked to see -- there was always a cutoff date beyond
 15 which you were not allowed to drop a course.
 16 So I'm not -- I can't remember where our meeting
 17 was relative to that, you have to either pass or drop
 18 it, or you'll get -- it's up to you if you want to get
 19 an F or W. Personally, I'd go for the W.
 20 I mean that would be -- if mathematically, you
 21 need to get 105 on the next two tests, I think maybe --
 22 but it's up to you. So that's my general approach at
 23 the midterm, and I did that with every student who was
 24 failing any course in the middle of every term.
 25 Q Do you remember any specific advice that you might have

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1 Bryan that first semester.
 2 THE DEPONENT: Yes.
 3 MR. LAPP: Okay.
 4 Q (By Ms. Goodwin) What do you remember?
 5 A The one substantive one I remember is at midterms.
 6 Every student who is failing a course in the middle of
 7 every term I met with one on one.
 8 Q Okay. What can you tell me about that meeting?
 9 A Nothing much specific. I can tell you what my normal
 10 routine was.
 11 Q Okay.
 12 A Bryan was failing both pharmacology and pathology at
 13 the midterm first semester. Not only failing it, but
 14 failing it badly. He had already seen student affairs
 15 I think twice at that point. His first exam in
 16 pathology I think was 44, and maybe slightly better
 17 than that in the other course, but I may have those
 18 backwards.
 19 But so my usual routine was to say Bryan, how can
 20 I help you. I mean, what can we do to improve your
 21 study technique, what are you doing that we can change
 22 or what are you doing. How are you approaching these
 23 subjects.
 24 He was taking genetics, which is a -- as a
 25 personal statement, that's tougher for me than

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1 given Bryan at the time? That you did give Bryan at
 2 the time?
 3 A Other than what I just said, no.
 4 Q Okay. Was there an academic remediation program at St.
 5 Matthew's while you were there?
 6 A What do you mean by that? That's not a word I like.
 7 Remediation. Academic remediation, I don't know.
 8 Q Okay. Just so we're both talking about the same thing,
 9 certainly don't need that, Daryl, but --
 10 MR. LAPP: I don't need my own copy.
 11 MS. GOODWIN: All right.
 12 (Pringle Deposition Exhibit Number 1 was marked for
 13 identification.)
 14 Q (By Ms. Goodwin) I'm going to give you the official
 15 one. Do you recognize what's been marked as Exhibit 1?
 16 A Sorry?
 17 Q Do you recognize that?
 18 A Apparently, yes. I mean yes, the student handbook,
 19 sure.
 20 Q I want to ask you to turn to Page 28?
 21 A Let me read it.
 22 Q There's a heading of academic remediation, just take a
 23 look?
 24 A Okay.
 25 Q Do you know if -- well, was that program of academic

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1	from St. Matthew's?		
2	A How many -- what percentage of students flunked?		1 Q Were any of them readmitted immediately?
3	Q Yes.		2 A No, not to my knowledge. You mean without going away
4	A Out of school?		3 and then coming back and starting over?
5	Q Let's go with basic sciences, who flunked out during		4 Q Right.
6	those first four semesters?		5 A Not to my knowledge.
7	A I don't know to be honest with you. I could guess, but		6 Q Were you involved in writing the student handbook?
8	I don't know.		7 A No.
9	MR. LAPP: No, we don't guess.		8 Q How about the Maine campus manual?
10	(By Ms. Goodwin) Were you ever -- is there a decision		9 A Maine campus manual, yeah, I would have had input on
11	process with regard to academic dismissal or is it -- I		10 that.
12	guess I'm asking, is it an automatic function, or is		11 Q Would you have written it or just had input?
13	there a decision that needs to be made?		12 A Just input as a team effort.
14	A There's a decision -- a student has made the decision		13 Q Who else was on the team?
15	by how they do in the course. We just submit the		14 A I don't remember to be honest.
16	grades to the registrar who is in Orlando at that time.		15 Q Okay.
17	She then would let the dean know who failed and who		16 MS. GOODWIN: I need a quick break if that's
18	didn't. That's as far as I know.		17 okay.
19	Q You say the dean, do you mean --		18 MR. LAPP: Of course.
20	A Dr. Nasser.		19 (Recess at 10:21 a.m., to 10:28 a.m., after which the
21	Q Okay. Could Dr. Nasser make a decision not to have a		20 following proceedings transpired.)
22	student be academically dismissed? Poor grammar,		21 Q (By Ms. Goodwin) Are there any other specific
23	but --		22 discussions with Bryan about his progress at St.
24	A Could he, I don't know. Maybe. I don't know.		23 Matthew's that you remember that you haven't told me
25	Q Are you aware of him --		24 about?
			25 A I have no secrets, but can I remember is the question.

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1	A No.		1 Bryan would have a better recollection of that to me.
2	Q -- ever doing so?		2 That's not my position to say that, but I've met with
3	A No, I don't. I'm not.		3 my students as I've already said regularly, especially
4	Q You mentioned earlier the academic grievance committee		4 those that I was worried about. And so --
5	and the process for appealing?		5 MR. LAPP: She's just asking if you
6	A Uh-huh.		6 remembered any specific conversation, if you don't,
7	Q Would that same process be used to appeal an academic		7 that's fine, if you do --
8	dismissal, if you know?		8 THE DEPONENT: Let me think about it a
9	A Yes. Yes. I think so.		9 second.
10	Q Are you aware of anybody ever using it to appeal an		10 Q (By Ms. Goodwin) Okay.
11	academic dismissal?		11 A I don't. I don't remember any. Doesn't mean I didn't,
12	A Someone who failed out, flunked out and then used that		12 but I don't remember any other specific.
13	to see if they could get back in?		13 Q Fair enough. If I start talking about the California
14	Q Yes.		14 report, and the SMU rebuttal, you know what I'm talking
15	A I'm not -- I don't recall anyone doing that.		15 about?
16	Q Do you recall anyone who had been academically		16 A Yes.
17	dismissed who was then readmitted to St. Matthew's?		17 Q Okay. Were you involved in St. Matthew's decision to
18	A At what time? Immediately? Or after they've gone away		18 seek approval from the state of California?
19	and then come back?		19 A No. Let me -- you're asking me, am I one of the people
20	Q Either.		20 who decided we should go for California?
21	A Well, yes.		21 Q Right.
22	Q How many?		22 A No.
23	A A few.		23 Q Do you know if SMU had been approved -- at the time
24	Q Any of them immediate?		24 they decided to go for California, were they approved
25	A Any what?		25 in any other states?

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1	A I believe we'd already been approved or were soon to be approved by New York. Florida approved somewhere in there, somewhere in that time frame. That would be the only other two that I know.	1	Q How long were they there?
2		2	A Two days I remember. Pretty sure it was two days.
3		3	Q Did you go -- as the host, did you go with them when they went to the various locations?
4		4	A Yes.
5	Q California sent some people for a site visit to the Maine campus?	5	Q Did they ask you questions?
6		6	A Yes.
7	A Yes.	7	Q List every one -- no, just kidding.
8	Q Were you involved with their site visit?	8	MR. LAPP: That was a great answer.
9	A Yes.	9	THE DEPONENT: Did I get the answers right, I
10	Q Tell me about it?	10	don't know. They asked me questions.
11	A Just generally?	11	MS. GOODWIN: Just so you have them in front
12	Q How you were involved, your interactions?	12	of you.
13	A I was the host as the associate dean for the accreditation committee. That was made up of three people. Dr. Simon who is an endocrinologist, retired from the University of California at San Diego. And a lawyer for the state of California Medical Association. And a lady named Hadnot was her last name, who was part of that association.	13	(Pringle Deposition Exhibit Numbers 4 and 5 were marked for identification.)
14		14	Q (By Ms. Goodwin) I'm going to ask you to take a look
15		15	at what has been marked as Exhibit 4 and Exhibit 5, and
16		16	tell me if you recognize them?
17		17	A No on that one.
18		18	MR. LAPP: Referring to Number 4.
19		19	THE DEPONENT: No on 5. I've never seen
20	Those three people came, and what we did routinely with New York or Florida, whoever was looking at us for accreditation, we would meet first on our campus with all of the -- a representative from every division. So if they had specific questions about pharmacology, they would ask me. Pathology, Dr. Wilhoite or Dr. Pusch.	20	either of these before.
21		21	Q (By Ms. Goodwin) Okay.
22		22	A Maybe. Okay.
23		23	Q Okay. Well, I am going -- what I want to do is talk
24		24	
25		25	
	Page 55		Page 57
1	And on and on. So the first thing was that, including student affairs.	1	about some of the specific findings made in the California report, which I will represent to you is Exhibit 5, and just to find out your thoughts on their findings specifically with regard to the Maine campus.
2		2	All right. One of the findings of the California report was that the Maine facility had a small microbiology lab?
3	Then we essentially appraised them of our academic program. They would go to a class. They went out to the Foundation for Blood Research which is in Scarborough out here where we had a lab. They have a lab, and we were invited to use that as part of our teaching process, it's a world renowned research lab. It really is, I'm not just saying that because I was there.	3	A Sorry, I missed --
4		4	Q California found that the Maine campus had a small microbiology lab, is that -- in your opinion, is that true or false?
5		5	A We didn't have any microbiology lab. We don't need a microbiology lab.
6		6	Q Okay.
7		7	A I don't -- anyway. So no, I don't know what that's all about.
8		8	Q You said there's a lab in the main building, right?
9		9	A The lab we used was the Foundation for Blood Research which was in Scarborough, which we had to drive --
10		10	10 students had to drive out there. That was not
11		11	11 microbiology. It was an immunology lab where we taught
12		12	12 them electrophoresis and the techniques for
13		13	13 chromatography and some population genetics, but it was
14		14	14 not what I would define as a microbiology effort.
15		15	15 Microbiology was a third semester course down in
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
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24		24	
25		25	

1 chief complaints, so forth, then you walk in and that
2 real person is Mr. DT. And you have to get a history
3 from him or her and do a physical.
4 So that was every week in the fifth semester also.
5 So that might be thought of as a lab. But basic
6 science labs is only that one in fourth semester.
7 Q Okay. Did you assist Daryl and/or Gail in answering
8 interrogatories in this case, a set of written
9 questions?
10 A Say that -- I don't -- did she write me any questions?
11 MR. LAPP: There's a set of written
12 interrogatory answers.
13 MS. GOODWIN: I don't have them.
14 MR. LAPP: We served in the case.
15 THE DEPONENT: No.
16 MR. LAPP: I don't think you were involved.
17 MS. GOODWIN: I just didn't remember whether
18 he was on the list. I don't have it in front of me.
19 THE DEPONENT: I don't know what you're
20 talking about.
21 MS. GOODWIN: Fair enough.
22 MR. LAPP: Okay.
23 MS. GOODWIN: I think I'm done, give me two
24 minutes.
25 (Recess at 10:47 a.m., to 10:51 a.m., after which the

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1 following proceedings transpired.)
2 Q (By Ms. Goodwin) Were you aware that Bryan was a
3 teaching assistant in Patient/Doctor 4?
4 A Yes.
5 Q Were you involved at all in the selection of teaching
6 assistants?
7 A No.
8 Q Were there any specific requirements that a student had
9 to meet to be a teaching assistant?
10 A Had to pass the course.
11 Q That's it?
12 A And had a need for money. So I mean a student came and
13 said, is there any way I can -- you know, is there any
14 job around here I can do, and they'd passed the course
15 and the teacher needed a TA, that was natural. No more
16 rigorous than that.
17 Q Okay.
18 MS. GOODWIN: Those were my questions.
19 MR. LAPP: Okay. We're all set.
20 (At 10:52 a.m., the foregoing proceedings were
21 concluded.)
22 - - - - -
23
24
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1 CERTIFICATE
2 I, Cindy Packard, a Notary Public in and for
3 the State of Maine, hereby certify that the
4 within-named deponent was sworn to testify the truth,
5 the whole truth, and nothing but the truth in the
6 aforementioned cause of action.

7 I further certify that this deposition was
8 stenographically reported by me and later reduced to
9 print through Computer-Aided Transcription, and the
10 foregoing is a full and true record of the testimony
11 given by the deponent.

12 I further certify that I am a disinterested
13 person in the event or outcome of the above-named cause
14 of action.

15 IN WITNESS WHEREOF I subscribe my hand
16 this ____ of _____, 2008.

17 Dated at Falmouth, Maine.

18
19
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21
22
23 Notary Public
24 My Commission Expires
25 November 9, 2008